



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WI 25405

www.atf.gov

AUG 17 2017

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Dear (b) (6)

This refers to your correspondence to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB), regarding firearm silencers. Specifically, you requested information regarding when you may lawfully purchase parts for a silencer that you intend to make and register.

As background, the amended Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term "firearm" to include *...any firearm muffler or firearm silencer...*

Also In addition, the GCA 18 U.S.C. § 921(a)(24) defines the terms "firearm silencer" and "firearm muffler" as "*...any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication.*"

The NFA, defines "firearm" to include *...any silencer (as defined in title 18, United States Code)....* (See 26 U.S.C. § 5845(a)(7).)

Your specific question is in italics below, followed by FTISB's response:

Question 1: *If you are applying for a Form 1 to make a silencer, when can you purchase parts, such as tubing, end-caps, solvent traps, etc., intended for use in the silencer?*

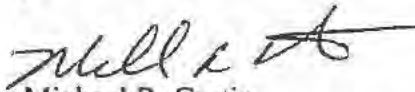
Answer 1: In order to have parts intended for use in the manufacturing of a firearm silencer, you must first have an **approved** ATF Form 1. Although some of these items may have other uses, your intent is to use them to make a silencer.

-2-

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We trust that the foregoing has been responsive to your question. If we can be of any further assistance, please contact us.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael R. Curtis", with a stylized flourish at the end.

Michael R. Curtis

Chief, Firearms Technology Industry Services Branch